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1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Tulino on 12/22/08.

The application has been amended as follows:

In the specification, after "CROSS-REFERENCE TO RELATED APPLICATIONS", replace paragraph [0001] with the following paragraph.

--This application is a divisional of US non-provisional application 10/323,722, filed on December 20, 2002, now U.S. Patent No. 6,754,381, which is a divisional of US non-provisional application 10/004,406, filed on December 6, 2001, now US Patent No. 6,539,111 issued on March 25, 2003, which is a divisional of US non-provisional application 08/964,885 filed on November 5, 1997, now US Patent No. 6,351,558 issued on February 26, 2002. All of these applications claim foreign priority from Japan P. Hei. 8-302223, November 13, 1996; Japan P. Hei. 8-306370, November 18, 1996; Japan P. Hei. 8-306371, November 18, 1996; and Japan P. Hei. 8-311070, November 21, 1996. All of the documents mentioned in this paragraph are incorporated herein by reference, in their entirety.--.

Replace claim 6 as follow:

--6. An image processing method comprising:  
using a computer to carry out the steps of:

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inputting image data represented by a plurality of pixels;  
calculating a luminance distribution of the image data;  
detecting a number of colors by regarding a number of luminance values in the luminance distribution as the number of colors; and  
discriminating a type of image based on the number of colors.--.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc Tran whose telephone number is (571) 272-7399. The examiner can normally be reached on MON-FRI.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh M. Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Phuoc Tran/

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Primary Examiner, Art Unit 2624